

**IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF COLUMBIA**

United States)	
)	
v.)	NO. 1:21cr140
)	
Larry Brock)	
)	
)	
<u>Defendant.</u>)	

MOTION TO MODIFY CONDITIONS OF RELEASE

Comes now, the accused, Larry Brock and moves to modify his conditions of release. In support of this motion, Mr. Brock asserts the following:

BACKGROUND

I. Background of Larry Brock

Mr. Brock lives in Texas and is a veteran of the Air Force with multiple combat deployments and decorations as an A-10 pilot. He has had a productive private sector career in civilian aviation and other industries. He has no criminal convictions.

II. Procedural Background

Mr. Brock is charged with misdemeanor offenses stemming from the events at the United States Capitol on January 6, 2021. He surrendered to authorities in Northern District of Texas. On January 14, following a hearing, the district judge set conditions of release, stating that:

I'm taking into account that the defendant quickly self-surrendered, he did not possess weapons, or, at this stage, have any evidence of violent actions involved with his alleged activities on January 6th, and his long and distinguished military career.

Ex. 1,

The district judge placed Mr. Brock on home detention and prohibited him from accessing the internet unless specifically approved by his pretrial officer. Ex. 2. Pretrial installed monitoring software on Mr. Brock's devices.

ARGUMENT

Under 18 U.S.C. § 4142, this Court should impose the "least restrictive" set of conditions to assure Mr. Brock's appearance at court and the safety of the community.

Maintaining Mr. Brock on home detention and limiting his internet use is more restrictive than necessary. As stated above, Mr. Brock has had an admirable civilian and military career. He has no criminal convictions. He is not accused of committing violent acts at the U.S. Capitol or destroying government property. Most importantly, he has proven over nearly two months that he will scrupulously abide by any conditions of release set by this Court.

The current conditions of release will cause Mr. Brock significant hardship. Mr. Brock lost his job as a result of this case and the media attention. He is diligently working on new employment as a home inspector and/or flight instructor. Pursuing these careers will require significant local travel which will likely be burdensome to coordinate ahead of time with pretrial. Mr. Brock submits that a condition requiring pre-approval for trips outside of Texas is sufficient. He also has no objection to a condition prohibiting him from engaging in protest activity in any location.

A near-complete ban on internet use is also not necessary. Mr. Brock has no wish to use social media, but the internet is necessary for many day-to-day tasks such as

seeking information on YouTube¹ or using GPS direction apps. Potentially starting at new career as a home inspector at age 54, Mr. Brock has to devote extra time and study to be successful and much of the educational material is online.

It is not feasible to coordinate all of these online tasks in advance through probation. Mr. Brock submits that a prohibition on social media use is a sufficient condition of release. In addition, Mr. Brock has no objection to maintaining monitoring software on his devices so any illicit internet use will be communicated to probation.

CONCLUSION

For the foregoing reasons, Mr. Brock respectfully requests this Court to remove him from house arrest and instead order that any travel outside of Texas be approved by pretrial. Mr. Brock further requests permission to use the internet with the restriction that he not use social media.²

Respectfully Submitted,

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¹ To be clear, Mr. Brock is not seeking permission to post content to YouTube, but merely to view content posted by others.

² Mr. Brock has inquired of the government's position on this request. As of the date of filing they have not taken a position.

CERTIFICATE OF SERVICE

I have served this filing on the government through the ecf system.

Respectfully Submitted,

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